

REMARKS

Claims 1-19, 21-24 and 26 as amended, and new claims 27-28 are pending for the Examiner's review and consideration. Claims 20 and 25 are cancelled herein without prejudice to Applicants' rights to file one or more continuing applications directed to this or other unclaimed subject matter. Claims 1 and 21 were amended to include one of the features recited in claim 2, *i.e.*, that the spacing arrangement is operatively associated with the support member and a wall or wall member to provide sufficient spacing between the support member or support surface and the wall or wall member (*See also* Specification at page 3, lines 23-26; page 14, lines 32-33; page 15, lines 1-4 and 25-29; and page 23, lines 14-20). Claim 2 was amended to remove this recited feature. Claim 17 was rewritten in independent form. Claim 26 was amended to depend from claim 21. New claims 27 and 28 recite a preferred embodiment where the spacing arrangement positions the support member about 0.125 inches to 2 inches from the wall or wall member (*See, e.g.*, Specification at page 16, lines 8-10). No new matter has been introduced by any of the amendments or new claims herein, such that entry of the claims is warranted at this time.

Applicants note with appreciation the allowability of claims 4-6, 13-14, and 17-19 if rewritten in independent form, including all of the limitations of the base claim and any intervening claims, as noted on page 3 of the Office Action.

The drawings were objected to on page 2 of the Office Action because Figure 5 allegedly does not use the proper cross-hatching. Figure 5 has been amended to include proper cross-hatching. Figure 5 has also been amended as follows. First, the angles 220 and 222 have been amended to refer to the angle from the heating system to the adjacent vertical wall member, as is stated in the Specification at page 33, lines 26-29. The bottom right portion of the support member 250 has also been amended to clarify that it is hidden from view. Finally, lines showing the transparency of at least one wall have been added, the optional, but preferable transparency of the wall noted in the Specification at page 11, lines 31-32. A copy of FIG. 5 with redlining showing these changes, along with a revised FIG. 5 incorporating the changes, are submitted herewith. Accordingly, Applicants respectfully request that the objection to the drawings be reconsidered and withdrawn.

Claims 1-3, 7-12, 15-16, and 20-26 were rejected under 35 U.S.C. § 102(b) as anticipated by U.S. Patent No. 6,455,816 to Reddy et al. ("Reddy") for the reasons set forth on page 3 of the Office Action. The Office Action alleges that Reddy teaches a spacing arrangement operatively associated with the frame and wall members to facilitate the substantially uniform airflow around the products. Applicants respectfully traverse.

Independent claims 1 and 21 have been amended to recite that the spacing arrangement is operatively associated with the support member and a wall or wall member to provide sufficient spacing between the support member or support surface and the wall or wall member. Reddy does not teach or disclose a support member, such as a frame, that is configured with respect to at least one wall or wall member to leave sufficient spacing for air circulation, as presently recited. Instead, Reddy teaches a mounting structure associated with the enclosure for mounting and positioning each support surface at a user accessible location in the interior space of the enclosure (Col. 2, lines 24-27; Col. 3, lines 32-36; Col. 5, lines 9-12; Col. 7, lines 10-16; and Col. 9, lines 25-27). While Reddy does disclose a support member such as a rack or frame, Reddy does not teach that such a support member should be arranged to leave a space between the support member and a wall, much less a sufficient space to facilitate substantially uniform air circulation, as presently recited (*See* Col. 9, lines 28-35 and FIGS. 1, 2, and 3). On the contrary, Reddy suggests that its mounting structure can even be fixed to the walls, which would likely preclude the presently recited spacing that is sufficient to facilitate substantially uniform airflow.

Furthermore, the presently recited support member advantageously has a spacing arrangement to facilitate positioning of the support member in the enclosure (Specification at page 14, lines 32-33). The spacing arrangement helps to ensure that the support member is reproducibly positionable within the enclosure at a sufficient distance from the walls of the enclosure on at least one side, and preferably on all sides of the support member (Specification at page 15, lines 1-5). The spacing arrangement situates the support member at a suitable distance from each side of the enclosure to facilitate the movement of heated air around the interior space of the enclosure to facilitate at least substantially uniform, or uniform, drying of the baked products therein (Specification at page 15, lines 25-28).

In this regard, several additional dependent claims recite separately patentable features. Claim 3 recites a frame that has a generally rectangular configuration with sides that correlate to the wall members, and that the spacing arrangement includes spacing members that are present on each side of the frame, which is not taught by Reddy. Claim 11 recites a reflective member positioned near the air-moving device to inhibit or prevent overheating of the air-moving device from heat generated from the heat source. Claim 12 recites a heating system that is arranged to direct heated air downwardly into the enclosure and toward at least one wall of the enclosure at an angle of about 10 to 50° with respect to the wall. Claim 22 recites that at least one air inlet is provided adjacent the first wall of the enclosure and directs the flow of air exiting the inlet at a desired angle toward the first wall. Claim 23 recites that at least one air outlet is provided to pull air from another space provided

between the support surface and at least a second wall of the enclosure. Claim 24 recites that a portion of the air flowing into the space further flows in a direction substantially perpendicular to the first wall and adjacent each support surface. These features are not taught by Reddy. Because Reddy does not teach each and every feature recited in the claims, it cannot anticipate the present invention. Thus, Applicants respectfully request that this rejection under 35 U.S.C. § 102(b) be reconsidered and withdrawn.

Accordingly, the entire application is now in condition for allowance, early notice of which would be appreciated. Should the Examiner not agree with the Applicants' position, then a personal or telephonic interview is respectfully requested to discuss any remaining issues and expedite the eventual allowance of the application.

Respectfully submitted,

1/24/05
Date

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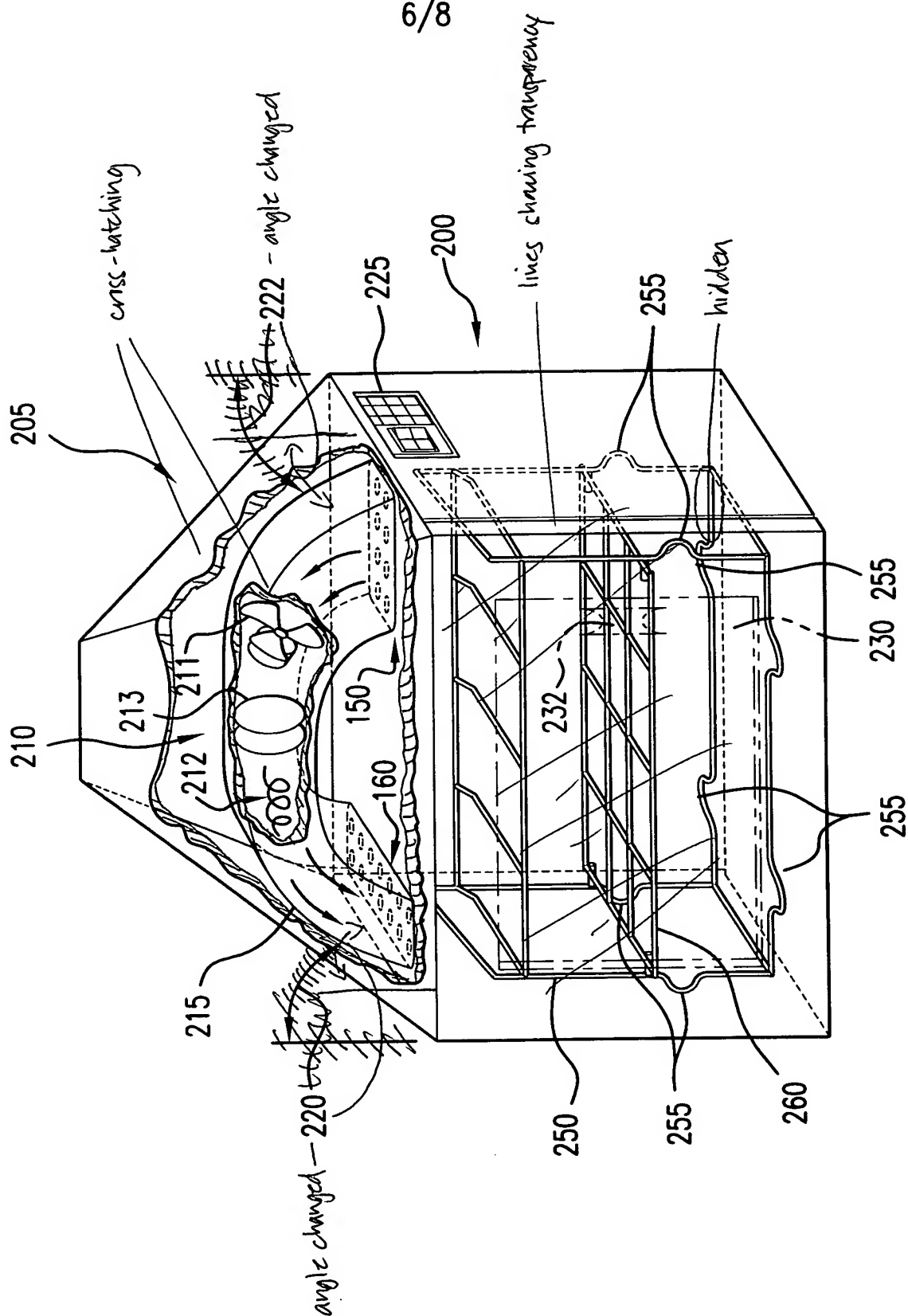


FIG. 5